

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOSEPH A. GARDNER,

Petitioner,

v.

JEFFERY UTTECHT,

Respondent.

NO: 12-CV-0339-JPH

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
TRANSFERRING CASE TO WESTERN
DISTRICT OF WASHINGTON

Magistrate Judge Hutton filed a Report and Recommendation on May 30, 2012, recommending Mr. Gardner's habeas corpus petition be transferred to the Western District of Washington. There being no objections, the court **ADOPTS** the Report and Recommendation.

Therefore, **IT IS ORDERED** this action is **TRANSFERRED** to the United States District Court for the Western District of Washington. No ruling has been made regarding Petitioner's application to proceed *in forma pauperis*.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, and forward a copy to Petitioner. The District Court Executive is further

ORDER ADOPTING REPORT AND RECOMMENDATION AND
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1 directed to forward this file with a copy of this Order to the Clerk of the United
2 States District Court for the Western District of Washington and close the file in
3 this district.

4 **DATED** this 12th day of June 2012.

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6 *s/ Rosanna Malouf Peterson*

7 ROSANNA MALOUF PETERSON
8 Chief United States District Court Judge
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